

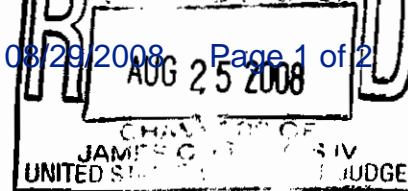
**MEMO ENDORSED**

Case 1:08-cv-03997-SHS-JCF

Document 5

Filed 08/29/2008

Page 1 of 2



MICHAEL A. CARDOZO  
Corporation Counsel

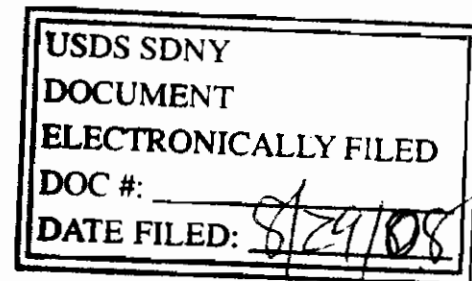
THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

D. ALAN ROSINUS  
phone: 212-788-8316  
fax: 212-788-0940  
email: arosinus@law.nyc.gov

August 22, 2008

**BY HAND**

Hon. Sidney H. Stein  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1010  
New York, NY 10007



Re: Shaw v. New York City Dep't of Corr. et al.,  
08 Civ. 3997 (SHS)(JCF)

Dear Judge Stein:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo, assigned to represent Defendants New York City Department of Correction ("DOC") and Martin F. Horn, Commissioner of DOC, in the above captioned matter. As an initial matter, upon information and belief, it appears that these are the only Defendants who have been properly served to date. I write to respectfully request a 30 day extension of time for Commissioner Horn and the DOC to respond to the Complaint in this matter, from August 26, 2008, until September 25, 2008. M

The additional time is necessary to investigate Plaintiff's factual allegations and legal claims, and to prepare Defendants' response to the Complaint.

This is the first request for an extension of time in this matter. As plaintiff is incarcerated and proceeding pro se, I was not able to obtain his prior consent to this request.

I thank you for your consideration of this request for an extension of time to respond to the Complaint until September 25, 2008.

Respectfully,



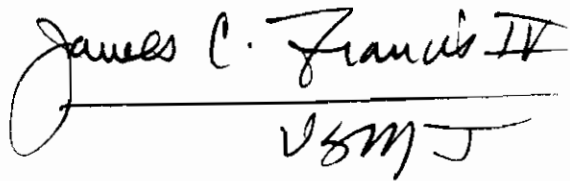
David A. Rosinus, Jr. (DR 2311)  
Assistant Corporation Counsel

cc: By overnight mail  
Michael David Shaw  
#895-07-01612  
Plaintiff pro se  
Anna M. Kross Center  
18-18 Hazen Street  
East Elmhurst, New York 11370

By hand  
Hon. James C. Francis  
United States Magistrate Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1960  
New York, New York 10007

8/28/08

Application granted.  
SO ORDERED.

James C. Francis IV  
  
VSMJ